

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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AMERICAN MOTORISTS INSURANCE COMPANY,

08-CV-00537-HB

Plaintiff,

-against-

THE CITY OF NEW YORK; THE N.Y.C. DEPARTMENT
OF TRANSPORTATION; THE N.Y.C. DEPARTMENT OF
FINANCE; Hon. Janet Sadik-Khan, Commissioner of
Transportation; Hon. Martha E. Start, Commissioner of
Finance; and Jane Doe and Richard Roe, being public
employees responsible for the acts complained of herein;
and PEDUTO CONSTRUCTION CORP.; QUEENS
REBAR, INC.; CENTURION WATERPROOFING, INC.;
and SAFETY MARKING INC.,

**Order
of
Discontinuance**

Defendants.
-----X

Hon. Harold Baer, Jr., District Judge:

The complaint in this action having been filed in this district, but indicating venue in another district, and referring to transactions and occurrences in that other district, specifically, the Eastern District of New York, now on application of the plaintiff it is hereby

ORDERED that this action be dismissed without prejudice to filing in a proper venue; and it is further

ORDERED that the Clerk of this Court is authorized to process a refund of the filing fee, if feasible to do so; and it is further

ORDERED that the Clerk of this Court is directed to close this case and remove it from this Court's docket.

SO ORDERED
this 4 day of February, 2008



U.S.D.J.

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